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8 9 10	Attorneys for Defendant
11 12 13	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA
14 15 16 17 18 19 20	MILTON R. LOVETT,  Plaintiff,  O STIPULATION AND PROPOSED ORDER  V. O SENTENCE FOUR OF 42 U.S.C. § 405(g),  MICHAEL J. ASTRUE, Commissioner of Social Security, Defendant.  O CIVIL ACTION NO.: 4:11-CV-00614-DMR  STIPULATION AND PROPOSED ORDER FOR REMAND PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g), AND REQUEST FOR ENTRY OF JUDGMENT IN FAVOR OF PLAINTIFF AND AGAINST DEFENDANT  O Defendant.
21   22   23   24   25   26   27   28	IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, that this action be remanded to the Commissioner of Social Security for further administrative action pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. § 405(g), sentence four.  On remand, the Appeals Council will instruct the Administrative Law Judge (ALJ) to update the record and offer Plaintiff the opportunity for a hearing. The ALJ shall determine whether the Medical-Vocational Guidelines direct a finding of disabled, and if not, whether jobs exist in significant numbers in the national economy that Plaintiff can perform. If the ALJ relies on transferrable skills at step five

## Case 4:11-cv-00614-DMR Document 28 Filed 12/19/11 Page 2 of 2

of the sequential evaluation process, the ALJ must ensure that there is a significant range of semi-skilled 1 2 or skilled work that Plaintiff can perform. The parties further request that the Clerk of the Court be directed to enter a final judgment in 3 favor of Plaintiff, and against Defendant, Commissioner of Social Security, reversing the final decision 4 5 of the Commissioner. 6 Respectfully submitted, 7 Dated: December 15, 2011 /s/ Steven G. Rosales 8 (As authorized via e-mail on 12/12/11 at 2:17 p.m.) STEVEN G. ROSALES 9 Attorney for Plaintiff 10 11 Dated: December 15, 2011 MELINDA L. HAAG United States Attorney 12 DONNA L. CALVERT 13 Acting Regional Chief Counsel, Region IX Social Security Administration 14 /s/ Lynn M. Harada By: 15 LYNN M. HARADA 16 Special Assistant U.S. Attorney 17 Attorneys for Defendant 18 19 ORDER IT IS SO ORDERED 20 PURSUANT TO STIPULATION, IT IS SO ORDERED. 21 22 DATED: December 19, 2011 23 Bud Bok THE HONO THE HOLLING ragistrate Judge 24 25 DISTRIC 26 27

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